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September 15, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

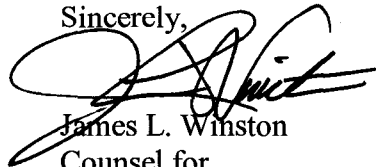
**Re: Application of Malka Communications Group, Inc. for Certification as an Eligible
Provider of Video Relay Service (REDACTED), CG Docket No. 10-51**

Dear Ms. Dortch:

Malka Communications Group, Inc. ("MCG"), by its attorneys, pursuant to the Commission's *Certification Order*,¹ submits a redacted copy of its "Application of Malka Communications Group, Inc. for Certification as an Eligible Provider of Video Relay Service" ("Certification Application"). Pursuant to Section 0.459 of the Commission's Rules,² MCG has filed today with the Secretary's office a request for confidential treatment and a complete copy of its Certification Application, including all information redacted from this copy.

Please contact undersigned counsel if you require any additional information regarding this application.

Sincerely,



James L. Winston
Counsel for
Malka Communications Group, Inc.

¹ *Structure and Practices of the Video Relay Service Program*, Report and Order and Order Rulemaking, CG Docket No. 10-51, FCC 11-118, released July 28, 2011 (the "*Certification Order*").

² 47 CFR § 0.459.

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Structure and Practices of the)	CG Docket No. 10-51
Video Relay Services Program)	
)	

**APPLICATION OF MALKA COMMUNICATIONS GROUP, INC.
FOR
CERTIFICATION AS AN ELIGIBLE PROVIDER OF
VIDEO RELAY SERVICE**

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September 15, 2011

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**Before the
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**APPLICATION OF MALKA COMMUNICATIONS GROUP, INC.
FOR
CERTIFICATION AS AN ELIGIBLE PROVIDER OF
VIDEO RELAY SERVICE**

Malka Communications Group, Inc. (“MCG”) hereby submits its application to the Federal Communications Commission (“Commission”) for certification that MCG is eligible to receive reimbursement from the Interstate Telecommunications Relay Service Fund (“Fund”) as a provider of Video Relay Service (“VRS”) pursuant to 47 C.F.R. § 64.606, and the Commission’s *Certification Order*.¹ MCG has both the capability and the resources to provide high quality VRS that will benefit a great number of persons with speech or hearing disabilities. As described herein, MCG currently meets each of the standards required of a provider seeking certification as a VRS provider eligible for reimbursement from the Fund, and hereby requests that the Commission grant such certification.

¹ *Structure and Practices of the Video Relay Service Program*, CG Docket No. 10-51, Second Report and Order and Order, FCC 11-118, released July 28, 2011 (“*Certification Order*”).

I. MALKA COMMUNICATIONS GROUP, INC.

MCG is a company founded in April 2010 by Ms. Nataly Malka, a Deaf individual, who serves as MCG's CEO. As a leading member of the Deaf community, Ms. Malka is deeply committed to improving the quality of life in the Deaf community. In addition to many years of civic and charitable activities serving the Deaf community, Ms. Malka has over fifteen years of experience providing telecommunications services to the Deaf community. In the early 1990's, Ms. Malka initiated a program to bring the Teletypewriter device (TTY/TTD) to Israel in order to bridge the communication barrier. Over her fifteen years of providing telecommunications services to the Deaf community, she has worked with some of the leading businesses that provide services to the Deaf community. One of those businesses was Sorenson Communications, Inc., where she focused on government relations between Sorenson and the Israeli Government.

Ms. Malka is also the founder of TelkolNET, which she has operated since 1998. Ms. Malka includes among her duties at TelkolNET, the recruitment of Deaf consumers to receive services from a certified VRS provider, and the training of interpreters for that VRS provider. Other charitable endeavors to which she has dedicated her time include Miss Deaf International, a beauty pageant specifically for the Deaf, where she focused on raising funds and empowering Deaf women from around the world, setting examples for other countries to follow.

With the founding of MCG, Ms. Malka began her plan to become a certified VRS provider. MCG started out as a subcontractor to an eligible provider, and since its inception MCG has been planning to seek certification to become an eligible provider. MCG has been very successful at reaching and educating the Deaf community about the availability and benefits of using VRS. MCG has been successful in attracting users to VRS.

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As part of its effort to become an integral part of the Deaf community, in addition to its VRS business, MCG has been developing school curricula to assist in the teaching of sign-language to Deaf children. Deaf children are often neglected by hearing-focused school systems, and often hearing parents fail to understand or know how best to aid a Deaf child in developing his or her full potential. The curricula being developed by MCG is designed to help Deaf students overcome these obstacles. MCG also has dedicated capital to philanthropic endeavors within the Deaf community, including providing financial support to the athletic endeavors of Deaf teens, because for Deaf teens special arrangements are sometimes needed to allow a full and rich athletic experience comparable to those of hearing teens. MCG is committed to continuing such philanthropic endeavors so that Deaf teens will have opportunities for constructive athletic experiences that will give them the foundation for future social and employment success.

MCG has a unique relationship to the Deaf community and is dedicated to providing highly personalized services, while making consumers uniquely comfortable with their interpreters and particularly confident in their ability to clearly communicate. Certification of MCG to provide VRS is both in the public interest and consistent with the Commission's rules. In addition, grant of this application can be expected to enhance competition in the provision of VRS, thereby providing consumers with greater choice and potentially stimulating development of new and improved services.

II. COMPLIANCE WITH SECTION 64.606

Section 64.606(a)(2) of the FCC's rules states that "any entity desiring to provide Internet-based TRS and to receive compensation from the Interstate TRS Fund, shall submit

documentation to the Commission.” MCG hereby provides that documentation in the narrative below and the attached exhibits.

A. A description of the forms of TRS to be provided – Section 606(a)(2)(i)

It is the intention of MCG to provide all non-waived forms of VRS.² The technology platform being utilized by MCG will allow the provision of VCO and HCO services in the future.

B. A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered and documentation – Section 606(a)(2)(ii)

MCG will provide VRS by utilizing its staff of experienced Communications Assistants (“CAs”) and a newly developed technology platform. The technology platform that MCG will utilize will provide all of the capabilities required for the provision of a high quality VRS. High service standards will be maintained, and MCG will at all times ensure that its operations and CAs comply with the non-waived operational, technical, and functional standards of the Mandatory Minimum Standards (“MMS”) set forth in Section 64.604 of the Commission’s rules. A description of the MCG technology platform is attached as Exhibit 1.

A brief description of how MCG will meet the MMS follows:

1. Operational Standards

a) Communications Assistant – 64.604(a)(1)

The FCC’s rules specify the qualifications and required behavior of CAs.

MCG believes that the competency of its CAs will be paramount to the provision

²See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123 and WC Docket No. 05-195, Order, DA 11-1159, June 30, 2011 (extending through July 1, 2012, waiver of any requirement that VRS and IP Relay Service providers offer certain types of TRS, including Voice Carry Over (“VCO”) and Hearing Carry Over (“HCO”) services) (“*2011 VRS Waiver Extension Order*”).

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of excellent VRS to persons with hearing and speech impairments. MCG has and will continue to hire only qualified interpreters as CAs. MCG is committed to maintaining rigorous proficiency standards for CAs that will continue to meet or exceed the minimums established in FCC rules. Well skilled and well-trained sign language interpreters are critical to the provision of VRS, and MCG employs an intensive screening process to select only well-qualified interpreters, and provides ongoing training to ensure interpreters' skills are kept well-honed. MCG's CAs will have a familiarity with hearing and speech disability cultures, languages and etiquette, and will possess clear and articulate voice communications. MCG's CAs will stay with a call for a minimum of ten minutes. MCG will make every effort to accommodate users' requests for specific CA gender both at call initiation and at transfer.

It is MCG's policy and practice to ensure that all CAs are knowledgeable about service requirements of confidentiality, in call practices, and each and every applicable TRS requirement expressed in Section 64.604 of the Commission's Rules. Initial training and regular updates on TRS rules are and will continue to be provided. A summary of MCG's procedures for screening CAs is attached as Exhibit 2. A summary of MCG's procedures for training CAs is attached as Exhibit 3.

b) Confidentiality and Conversation Content – 64.604(a)(2)

MCG's CAs will not disclose the content of any relayed conversation and will not intentionally alter the relayed conversation, and will relay all conversations verbatim. MCG will ensure through experience, training and

supervision that its personnel will adhere to these obligations. Confidentiality will be of the utmost importance in all of MCG's interactions with consumers.

c) Types of Calls – 64.604(a)(3)

MCG will handle all non-waived call types,³ including single or sequential calls, and will not limit the length of calls. All calls, including long distance calls will be completed without charge to the consumer.

d) Emergency Call Handling Requirements for TTY-based TRS Providers – 64.604(a)(4)

The requirements of this section are not applicable to VRS.⁴ MCG will comply with the emergency call handling requirements of Section 64.605.

e) STS Called Numbers – 64.604(a)(5)

The Commission has waived the requirement for VRS CAs to maintain a list of names and telephone numbers for speech-to-speech ("STS") user calls.⁵

f) Visual Privacy Screens – 64.604(a)(6)

MCG will not permit its CAs to enable a visual privacy screen and will instruct its CAs to disconnect a VRS call if a party enables a video privacy screen for more than five minutes, unless the call is a 9-1-1 emergency call or the call is on hold in a manner permitted by the Commission's Rules.

g) International Calls – 64.604(a)(7)

MCG will only seek compensation from the Fund for international calls if the call is made by a U.S. resident who has pre-registered with MCG prior to

³ 2011 VRS Waiver Extension Order, par. 1.

⁴ Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, 15 FCC Rcd 5140, par. 42 (2000).

⁵ 2011 VRS Waiver Extension Order, par. 1.

leaving the country, in accordance with the requirements of this Section of the Commission's Rules.

2. Technical Standards

a) ASCII and Baudot – 64.604(b)(1)

The ASCII and Baudot communication requirement contained in this rule is waived for VRS.⁶

b) Speed of Answer – 64.604(b)(2)

MCG will meet or exceed the speed of answer requirement to answer 85% of all calls within 10 seconds. MCG will ensure that adequate network facilities will be available so that under projected calling volume the probability of a busy response due to loop trunk congestion will be functionally equivalent to what a voice caller would experience in attempting to reach a party through the voice telephone network. MCG will measure its speed of answer performance in accordance with the requirements of this section. Through its technology partner, MCG will utilize an automated monitoring system and will continually measure speed of answer. Automated monitoring system reports will be continually monitored to ensure that the applicable standards are met and exceeded. It is MCG's staffing and scheduling policy and practice to ensure that the call center will be staffed with highly qualified CAs to ensure at all times that consumers using MCG's services are not faced with lengthy waits for service. Should occasions arise when MCG is unable to handle the volume of calls, MCG has

⁶ *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, 15 FCC Rcd 5140, par. 42 (2000).

arranged with a certified VRS provider, to handle such calls. A copy of that agreement is attached as Exhibit 9.

c) Equal Access to Interexchange Carriers – 64.604(b)(3)

The requirements of this provision of the regulations have been waived for VRS providers, provided that the VRS provider delivers free long distance service to end users.⁷ MCG will provide such services free of charge.

d) TRS Facilities – 64.604(b)(4)

MCG will accept calls twenty-four (24) hours a day, seven (7) days a week. If there are times of the day when MCG does not have a CA available, or the call volume is too heavy, MCG has arranged with a certified VRS provider to handle such calls. MCG will have system redundancy features such as uninterruptible power supply for emergency use and multiple redundant connection paths for CAs to ensure that the continuous provision of services remains uninterrupted by technical malfunctions or issues. MCG has leased an Automatic Call Distributor, and a copy of the lease is attached as Exhibit 4.

e) Technology – 64.604(b)(5)

The requirement that TRS providers using SS7 technology comply with Calling Party Telephone Number rules is not applicable to VRS.

f) Caller ID – 64.604(b)(6)

MCG will comply with the requirement set forth under this rule to transmit caller ID information to the public network. In Exhibit 1, MCG's technology provider demonstrates how this will be accomplished.

⁷ 2011 VRS Waiver Extension Order, par. 1.

3. Functional Standards

a) Consumer Complaint Logs – 64.604(c)(1)

As required by this section of the regulations, MCG will maintain a comprehensive log of any consumer complaints received, with information on the date of the complaint, the nature of the complaint, the date of resolution, and an explanation of the resolution. MCG will comply with the annual reporting requirements regarding such complaints.

b) Contact Person – 64.604(c)(2)

The designated TRS contact person to provide consumer information and receive consumer complaints for MCG is:

Zeke Schumacher
Chief Strategic Officer
Malka Communications Group
15260 Ventura Boulevard
Sherman Oaks California 91436
Telephone: (661) 219-5005
Fax: (818) 501-3351
zeke@malkavrs.com
or
support@malkavrs.com
www.malkavrs.com

c) Public Access to Information – 64.604(c)(3)

MCG will take steps to ensure that potential users are made aware of the availability of MCG's VRS. MCG will maintain a comprehensive website, and engage in unique and distinctive advertising, consumer trade show presentations, meetings with user communities, distribution of informational materials, direct mailing to consumers, online communication, and other promotional methods. MCG believes that, given the nature of the individuals associated with MCG,

consumer outreach is one substantial area in which MCG has and will continue to distinguish itself.

d) Rates – 64.604(c)(4)

MCG does not charge consumers for its services in any way and does not intend to assess any charge to users of its VRS, including long distance charges.

e) Jurisdictional Separation of Costs – 64.604(c)(5)

Because of technical difficulty in identifying the interstate or intrastate jurisdiction, all VRS calls are currently reimbursed from the Interstate TRS Fund. MCG will comply with cost separation instructions contained in this provision of the regulations and otherwise established by the Commission. MCG will comply with the Commission's call data collection, audit, certification, eligibility, whistleblower protection, record retention, and reporting requirements.

4. Complaints – 64.604(c)(6)

MCG's user complaint procedures are described in Exhibit 5. As stated above, MCG will maintain a complaint log and will meet all annual submission requirements. MCG understands that complaints about its VRS may also be filed directly with the FCC and commits to cooperate readily and fully in any investigation or other procedure the Commission may undertake to resolve complaints it may receive about MCG's service.

In addition to maintaining and submitting the complaint logs previously described herein, MCG will address each complaint received by recording all pertinent information at the time such complaint is received, contacting all MCG personnel implicated in such complaint, compiling all relevant information, taking

any and all necessary measures to ensure that the causes of any valid complaints are immediately remediated, and, when appropriate, engaging the complaining party to provide a resolution. It is MCG's policy to seek resolutions to complaints that satisfy the needs of all parties involved.

5. *Treatment of TRS Customer Information – 64.604(c)(7)*

MCG will maintain the confidentiality of all VRS customer information, and that information will not be sold, distributed, shared, or revealed in any way by MCG or any of its employees, agents, or contractors unless compelled to do so by lawful order.

C. A Description of the provider's complaint procedure – Section 606(a)(2)(iii)

MCG's complaint procedures are described above under Section 64.404(c)(6) and are shown in Exhibit 5.

D. A statement that the provider will file annual compliance reports – 606(a)(2)(iv)

In her certification, the CEO of MCG states that MCG will file all required annual compliance reports.

E. The certification of the Chief Executive Officer – 606(a)(2)(v)

The certification of MCG's Chief Executive Officer is included.

F. Notification of Substantive Change – 64.606(f)

MCG will provide notice to the Commission of substantive changes to its TRS program services, and features within 60 days of the date when any such changes occur, and with such notice MCG will certify that MCG continues to meet federal minimum standards after implementing the substantive change.

G. Annual Reports – 64.606(g)

MCG will file annual compliance reports with the required certification of MCG's Chief Executive Officer.

H. Unauthorized service interruptions – 606(h)

MCG will provide VRS without unauthorized service interruptions. MCG will obtain Commission authorization by submitting a written request to the Commission's Consumer and Governmental Affairs Bureau at least 60 days prior to any planned service interruption of 30 minutes or more duration, and will provide the detailed information required by this Section of the Commission's Rules.

I. E911 Service for VRS – 605(b)

MCG will comply with the Commission's rules for providing E911 service. MCG will transmit all 911 calls, as well as automatic number identification, the caller's Registered Location, MCG's name, and the CA's identification number for each call, to the Public Safety Answering Point, designated statewide default answering point, or appropriate local emergency authority that serves the caller's Registered Location.

J. Internet-based TRS registration – 611

MCG will comply with the Commission's requirements for registration of users.

III. CONCLUSION

MCG has demonstrated herein that its VRS will meet or exceed all non-waived operational, technical, and functional Mandatory Minimum Standards contained in Section 64.604, and that MCG will make available adequate procedures and remedies for ensuring compliance with the requirements of this section, including that MCG makes available for TRS

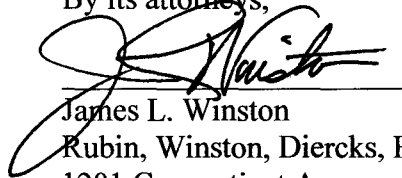
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users informational materials on complaint procedures sufficient for users to know the proper procedures for filing complaints. MCG, therefore, requests that the Commission grant the requested certification.

Respectfully Submitted,

MALKA COMMUNICATIONS GROUP

By its attorneys,

A handwritten signature in black ink, appearing to read "J. Winston", is written over a horizontal line.

James L. Winston

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Suite 200

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(202) 861-0870

September 15, 2011

MALKA COMMUNICATIONS GROUP

CERTIFICATION OF CHIEF EXECUTIVE OFFICER

I swear under penalty of perjury that I am Nataly Malka, Chief Executive Officer of Malka Communications Group, an officer of the above-named applicant, and that I have examined the foregoing submissions, and that all information required under the Commission's rules and orders has been provided, and all statements of fact, as well as all documentation contained in this submission, are true, accurate, and complete.

I also state that MCG will file annual compliance reports demonstrating continued compliance with the Commission's rules.

Date: September 15, 2011



Nataly Malka
Chief Executive Officer

MALKA COMMUNICATIONS GROUP

LIST OF EXHIBITS

Exhibit 1 – MCG Technology

Exhibit 2 – Procedures for Screening CAs

Exhibit 3 – Procedures for Training CAs

Exhibit 4 – ACD Lease

Exhibit 5 – Complaint Procedures

Exhibit 6 – Call Center Lease

Exhibit 7 – Ownership

Exhibit 8 – Employees

Exhibit 9 – Agreement with Certified Provider

Exhibit 10 – Whistleblower Protections

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 1

MCG TECHNOLOGY

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 2

**PROCEDURES FOR SCREENING
COMMUNICATIONS ASSISTANTS**

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 3

PROCEDURES FOR TRAINING

COMMUNICATIONS ASSISTANTS

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 4

ACD LEASE

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 5

COMPLAINT PROCEDURES

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 6

CALL CENTER LEASE

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 7

OWNERSHIP

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 8

EMPLOYEES

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 9

AGREEMENT WITH CERTIFIED PROVIDER

MALKA COMMUNICATIONS GROUP

(REDACTED)

EXHIBIT 10

WHISTLEBLOWER PROTECTIONS